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Appl. No.: 10/733,411

Reply to Office Action of April 2, 2008

**REMARKS/ARGUMENTS**

The non-final Office Action of April 2, 2008, has been carefully reviewed and these remarks are responsive thereto. Claims 5 and 12 have been canceled in the present paper. Claims 1, 4, 6-9, and 11 have been amended. Claims 1-4, 6-11, and 13-34 remain pending. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

***Rejections Under § 35 U.S.C. 103***

Claims 1-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Internet Archive's CheckFree Website:

<http://web.archive.org/web/20000510083954/www.checkfree.com>,

hereinafter CheckFree, in view of Official Notice. This rejection is respectfully traversed.

Independent claim 1 has been amended to recite features similar to those previously recited in now-canceled claim 5. More specifically, amended claim 1 recites:

“... a file sweeper that is operable to sweep files received at the server to other locations.”

The Office Action at pages 2-4 fails to address these features. Pursuant to the instant application specification (U.S. pub. no. 2004/0177018), paragraphs [0014]-[0017], Applicants submit that CheckFree's ReconPlus (see CheckFree at page 3, paragraph 1) fails to disclose a file sweeper that is operable to sweep files received at a server to other locations as required by amended claim 1. Moreover, one of skill in the art will appreciate that by providing for such a file sweeper, dependencies can readily be set between jobs across different databases, providing for greater ease in sharing files across databases, maintaining the files, and deleting the files when no longer needed. Accordingly, claim 1 represents an advance in the art over CheckFree and is allowable for at least the foregoing reasons.

Independent claim 9 has been amended to recite features similar to those previously recited in now-canceled claim 12. More specifically, amended claim 9 recites:

“... performing financial reconciliation on the data in the first and second files, wherein different instances of a system that performs the financial reconciliation operate in conjunction with the files at the predetermined locations...”

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The Office Action at page 3 asserts that CheckFree at page 22, paragraph 3 discloses the above-italicized features as recited in amended claim 9. Applicants note that CheckFree appears to be only 21 pages in length. As such, Applicants respectfully request clarification in the next communication as to which page/passage the Office has (principally) relied on in CheckFree. The Office Action at page 3 continues that concurrent online and batch processing would require multiple instances of the system to operate in conjunction with data files; see also CheckFree at page 17, paragraph 4 ("Track Items Using a Batch-Centric Approach").

The Office appears to assert that concurrent online and batch processing would inherently require different instances of the CheckFree system that performs financial reconciliation to operate in conjunction with the files at the predetermined locations. Applicants refer the Office to MPEP § 2112 (IV. Examiner Must Provide Rationale or Evidence Tending to Show Inherency) (providing that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic; the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art) (emphasis in original). Applicants submit that the above-noted features as recited in amended claim 9 are not inherently disclosed in CheckFree, and as such, claim 9 is allowable for at least the foregoing reasons.

Independent claim 24 recites:

"... storing individual files of the plurality of electronic files in a plurality of locations that will be accessed by multiple instances of an application ..."

For at least reasons substantially similar to those described above in conjunction with claim 9, CheckFree fails to disclose the above-noted features recited in claim 24. As such, claim 24 is allowable over CheckFree for at least similar reasons as discussed above with respect to claim 9.

The dependent claims are allowable for at least the same reasons as their respective base claims (e.g., claims 1, 9 and 24), and further in view of the additional advantageous features recited therein.

Moreover, the Office Action at page 4 relies on Official Notice to cure the numerous deficiencies associated with CheckFree with respect to the pending claims. Applicants

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respectfully request the Office to provide documentation/proof to support the Official Notice. Pending such proof/documentation, Applicants submit that the claims that recite the applicable features are further allowable over the applied references in view of those features.

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly. All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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